

January 14, 1930.

Mr. C. J. Carreon,
Member House of Representatives
Fourteenth Legislature,
Phoenix, Arizona.

LAW LIBRARY ARIZONA ATTORNEY GENERAL

Dear Sir:

We have your letter dated January 12th, 1930, enclosing House Bill No. 6 and requesting our opinion thereon as to what effect the enactment of said bill would have upon the personal status of aliens, and you further ask the following question:

"Does it effect its present rights and does it liberalize the rights of those who have declared their intention to become citizens?"

The law pertaining to aliens working on public works as contained in Section 1, Chapter 31, Laws of 1931, provides as follows:

"No person not a citizen or ward of the United States, shall be employed upon or in connection with any state, county or municipal works or employment; provided that nothing herein shall be construed to prevent the working of prisoners by the state or by any county or municipality thereof on street or road work or other public work."

The bill which you have presented as House Bill No. 6 provides as follows:

"AN ACT

Relating to Labor; prohibiting the employment of aliens on public work, and amending Section 1352, Revised Code of 1928.

Be it Enacted by the Legislature of the State of Arizona:

Section 1. Sec. 1352, Revised Code of 1928, is amended to read:

1352. Aliens on public work prohibited. (a)

No person not a citizen or ward of the United States, unless such person has declared his intention to be-

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come a citizen, shall be employed upon, or in connection with any state, county, or municipal work or employment;

(b) This section shall not be construed to prohibit the employment of prisoners by the state, or by any county or municipality, on road, street, or other public work."

It is our opinion that the bill which you have presented certainly does liberalize the rights of aliens to be employed on public works. As the law now stands no alien whatsoever may be employed. Your bill as introduced gives those aliens who have declared their intention to become citizens the right to work on public works. In other words the new bill as introduced by you gives aliens who have applied for their first papers as a citizen a right which those persons, even though having signified their intention to become citizens, do not possess as the law now provides.

Yours very truly,

JOE CONWAY
Attorney General

ALBERT M. GARCIA
Assistant Attorney General

EARL ANDERSON ✓
Special Assistant
Attorney General.